

REVISED STATEMENT OF BASIS (AI No. 40944)

for draft Louisiana Pollutant Discharge Elimination System permit No. LA0096041 to discharge to waters of the State of Louisiana.

THE APPLICANT IS: Capital Marine Supply Inc.
Post Office Box 1429
Baton Rouge, Louisiana 70821

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)
Office of Environmental Services
Post Office Box 4313
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Michelle Bickham

DATE PREPARED: January 26, 2009

1. PERMIT STATUS**A. Reason For Permit Action:**

Revised permit reissuance of a Louisiana Pollutant Discharge Elimination System (LPDES) permit for a 5-year term. The draft permit was issued on November 19, 2008. The public comment period ended January 9, 2009. Conestoga-Rovers & Associates, on behalf of Capital Marine Supply Inc., submitted comments to the draft permit on December 22, 2009, requesting the following: (1) The facility stated that they have no way of knowing if a barge has ever contained coal and/or coke at any one time in its history. They wanted clarification in Part II saying that "the discharge of rainwater or riverwater from barges/vessels that currently contain coal and/or coke is considered contaminated and is not permitted." (2) They stated that they discharge incoming ballast water and void water from customer barges and maintenance and/or dry dock ballast water. They requested that these outfalls be added to their permit. Because additional wastestreams will be added to the permit, a revised permit is being drafted and will subsequently go out for public comment.

B. NPDES permit – NPDES permit effective date: N/A
NPDES permit expiration date: N/A
EPA has not retained enforcement authority.

C. LPDES permits – LA0096041
LPDES permit effective date: November 1, 2003
LPDES permit expiration date: October 31, 2008

D. Date Application Received: July 25, 2008

2. FACILITY INFORMATION**A. FACILITY TYPE/ACTIVITY - barge fleeting facility**

Capital Marine Supply Inc. is an existing facility that is in the business of mooring (fleeting) barges engaged in maritime commerce into and out of the Port of Baton Rouge. Barges arrive on a large towboat and are received by smaller work boats and fleetied by tying off to a mooring system.

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The facility discharges treated sanitary wastewater from a fixed Coast Guard-approved marine sewage treatment unit (newly-installed in 2008) located on the office barge moored at the foot of the lower Mississippi River Mile 230.0. Rainwater (previously identified as Outfall 002) collects in the hoppers of spar barges and is pumped into the Mississippi River. These spar barges, retired from commercial use, are used as a buffer to protect the shoreline (or Batture Property) and provide easier access for the proper mooring of the barges being fleeted. These spar barges are open hopper in design. Rainwater collects in the hopper and must be pumped out to keep the barges afloat. All of these barges have been cleaned of prior cargos. Capital Marine Supply Inc. currently utilizes 36 spar barges in its operations.

B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: I
3. Wastewater Type: III
4. SIC code: 4499

C. LOCATION – front gate located at 555 N. River Road in Baton Rouge (Latitude 30° 27' 30", Longitude 91° 11' 28"); operating between Mississippi River Miles 229 and 232 in East Baton Rouge and West Baton Rouge Parishes

3. **OUTFALL INFORMATION**

Outfall 001

Discharge Type: treated sanitary wastewater
Treatment: sewage treatment plant with aeration and sedimentation
Location: at the point of discharge from the sewage treatment plant
Flow: 780 gpd
Discharge Route: Mississippi River

Outfall 02A

Discharge Type: incoming ballast and void water from customer barges
Treatment: none
Location: at the point of discharge from the customer barge wing/void tanks
Flow: intermittent
Discharge Route: Mississippi River

Outfall 02B

Discharge Type: maintenance and dry dock ballast water and void water
Treatment: none
Location: at the point of discharge from the work barge wing/void tanks
Flow: intermittent
Discharge Route: Mississippi River

NOTE: Outfall 002 (low contamination potential rainwater pumped from spar barges) is being removed from the existing permit. The discharges from this outfall will now be covered by Part II language. (See Part II, Paragraph J)

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4. RECEIVING WATERS

STREAM - Mississippi River

BASIN AND SEGMENT - Mississippi Basin, Segment 070301

DESIGNATED USES -

- a. primary contact recreation
- b. secondary contact recreation
- c. propagation of fish and wildlife
- d. drinking water supply

5. TMDL STATUS

The discharges from Capital Marine Supply Inc. are to the Mississippi River, Subsegment 070301 of the Mississippi River Basin. Subsegment 070301 is not listed on LDEQ's Final 2006 303(d) List as impaired, and to date no TMDL's have been established. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by any future TMDLs.

6. PROPOSED EFFLUENT LIMITS

BASIS - See Rationale below.

Changes from previous permit:

- The monitoring frequency for Outfall 001 has been increased from 1/6 months to 1/quarter, the limits have been updated in accordance with the reissuance of the Class I Sanitary Discharge General Permit and the fecal coliform limit has been changed from weekly average to daily max.
- Outfall 002 has been removed from the permit.
- Outfalls 02A and 02B (ballast waters) are being added to the permit.

7. COMPLIANCE HISTORY/COMMENTS

There have been no recent inspections at the facility.

DMR Review/Excursions -

| <u>Date</u> | <u>Parameter</u> | <u>Outfall</u> | <u>Reported Value</u> | <u>Permit Limits</u> |
|-------------|------------------|----------------|-----------------------|----------------------|
| 4/08 | BOD | 001 | 98 mg/L | 45 mg/L |
| 2/08 | BOD | 001 | 125 mg/L | 45 mg/L |
| 2/08 | BOD | 001 | 46 mg/L | 45 mg/L |
| 1/08 | BOD | 001 | 76 mg/L | 45 mg/L |
| 12/07 | BOD | 001 | 59 mg/L | 45 mg/L |
| 12/06 | BOD | 001 | 218 mg/L | 45 mg/L |
| 12/06 | Fecal Coliform | 001 | TNTC | 400 col/100 mL |

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8. EXISTING EFFLUENT LIMITS

Outfall 001 – treated sanitary wastewater

| Parameter | LPDES | |
|------------------|------------------------------------|--------------------------------------|
| | Monthly Average | Weekly Average |
| Flow | Report 1/6 months Est. | Report 1/6 months Est. |
| BOD ₅ | --- | 45 mg/L 1/6 months Grab |
| TSS | --- | 45 mg/L 1/6 months Grab |
| Fecal Coliform | --- | 400 col./100mL 1/6 months Grab |
| pH | 6.0-9.0 s.u. 1/6 months Grab | |

Outfall 002 – low contamination potential rainwater

| Parameter | LPDES | |
|-----------|-------------------------------------|-------------------------------------|
| | Monthly Average | Daily Maximum |
| Flow | Report 1/discharge event Est. | Report 1/discharge event Est. |

9. ENDANGERED SPECIES

The receiving waterbody, Subsegment 070301 of the Mississippi River Basin, has been identified by the U.S. Fish and Wildlife Service (FWS) as habitat for the Pallid Sturgeon, which is listed as an endangered species. LDEQ has not submitted this draft permit to the FWS for review in accordance with a letter dated November 17, 2008, from Rieck (FWS) to Nolan (LDEQ). As set forth in the Memorandum of Understanding between the LDEQ and the FWS, and based on information provided by the FWS, LDEQ has determined that the issuance of the LPDES permit is not likely to have an adverse effect upon the Pallid Sturgeon. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

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10. HISTORIC SITES

The discharge is from an existing facility location, which does not include an expansion on undisturbed soils. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the "Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits" no consultation with the Louisiana State Historic Preservation Officer is required.

11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

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Rationale for Capital Marine Supply Inc.

1. Outfall 001 - treated sanitary wastewater

| Pollutant | Limitation | | Reference |
|-------------------------------|-------------|--------------------|-------------------------------------|
| | Monthly Avg | Weekly Avg | |
| | mg/L | | |
| Flow | ---- | Report | |
| BOD ₅ | 30 | 45 | Similar discharges (BPJ); LAG530000 |
| TSS | 30 | 45 | Similar discharges (BPJ); LAG530000 |
| Fecal Coliform colonies/100ml | 200 | 400 (Daily Max) | Similar discharges (BPJ); LAG530000 |
| pH, s.u. | 6.0 (min) | 9.0 (max) | Similar discharges (BPJ); LAG530000 |

Treatment: sewage treatment plant with aeration and sedimentation

Monitoring Frequency: 1/quarter for all parameters at the point of discharge from the sewage treatment plant. The monitoring frequency for this outfall has been changed from 1/6 months to 1/quarter because of the numerous excursions for the outfall.

Limits Justification: Limits and monitoring frequencies are based on current guidance for similar discharges from other industrial facilities and LAG530000.

2. Outfall 02A: incoming ballast and void water from customer barges Outfall 02B: maintenance and dry dock ballast water and void water

| Pollutant | Limitation | | Reference |
|--------------|-------------|-----------|--------------------------|
| | Monthly Avg | Daily Max | |
| | mg/L | | |
| Flow | Report | Report | |
| COD | --- | 250 | Similar discharges (BPJ) |
| Oil & Grease | --- | 15 | Similar discharges (BPJ) |
| pH, s.u. | 6.0 (min) | 9.0 (max) | Similar discharges (BPJ) |

BPJ Best Professional Judgment

Treatment: none

Monitoring Frequency: Flow, COD, Oil & Grease and pH shall be observed once per week at the point of discharge from the customer barge/vessel wing/void tanks.

*The measurement frequency for Outfall 02B for the discharge of maintenance ballast and void water shall be 1/month whenever sampling is required at the point of discharge from the work barge wing/void tanks.

Limits Justification: Limits and Monitoring Frequency are based on current guidance for similar discharges from other industrial facilities.

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Storm Water Pollution Prevention Plan (SWP3) Requirement

As per LAC33:IX.2511.B.14.h, stormwater discharges from facilities classified as SIC Codes 4499 are not considered to have storm water discharges associated with industrial activity unless they have "vehicle maintenance shops, equipment cleaning operations, or airport deicing operations." This facility does not have vehicle maintenance shops and equipment cleaning operations; therefore, an SWP3 is not included in this permit.

However, based on BPJ and similar operations at other facilities, Barge BMPs will be applied to this facility.